

## IN THE UNITED STATES DISTRICT COURT

## FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. C 13-03721 CRB

Plaintiff,

**ORDER OF SUA SPONTE  
REFERRAL AS TO WHETHER  
CASES ARE RELATED**

v.

JOHN C. HOM,

Defendant.  
\_\_\_\_\_/

Northern District of California Civil Local Rule 3-12(c) provides: "Whenever a Judge believes that a case pending before that Judge is related to another case, the Judge may refer the case to the Judge assigned to the earliest-filed case with a request that the Judge assigned to the earliest-filed case consider whether the cases are related."

In reviewing the Motion to Strike (dkt. 22), it has come to the Court's attention that this action appears to be related to the earlier-filed case, John C. Hom, et al. v. United States, No. C 13-02243 WHA (N.D. Cal.). The government specifically argues that "Defendant's position regarding Title 31 FBAR investigations, assessment, and collection is the same here as it was in his earlier Section 6103 complaint filed with this Court. In that case, Judge Alsup granted the United States' Motion to Dismiss. . ." Mot. to Strike at 7.<sup>1</sup>

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<sup>1</sup> The Court notes that the Case Management Conference Statement filed by the government on December 3, 2013 states, "Related Cases: N/A." See CMC Stmt. (dkt. 15) at 5.

1           Accordingly, pursuant to Rule 3-12(c), this action is REFERRED to the Honorable  
2 Judge William H. Alsup for a determination of whether this action is related to John C. Hom,  
3 et al. v. United States, No. C 13-02243 WHA (N.D. Cal.).

4           **IT IS SO ORDERED.**

5  
6 Dated: March 3, 2014

  
CHARLES R. BREYER  
UNITED STATES DISTRICT JUDGE